

REMARKS/ARGUMENTS

Claims 1-27 were previously pending in the application. Claims 2 and 17 are canceled; claims 1, 3, 16, 18, and 26 are amended; and new claims 28-35 are added herein. Assuming the entry of this amendment, claims 1, 3-16, and 18-35 are now pending in the application. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

On page 2 of the office action, the Examiner objected to claim 26 for a stated informality. In response, the Applicant amended claim 26 to make a clarification, which corrects this informality. This amendment to claim 26 is not made to avoid any prior art.

Claims 24, 25, and 27 are allowed.

On page 2 of the office action, the Examiner rejected claims 1, 9, 10, 14-16, 19, and 20 under 35 U.S.C. § 102(b) as being anticipated by Ford.

On page 3, the Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Ford.

On page 4, the Examiner objected to claims 2-8, 11-13, 17, 18, and 21-23 as being dependent upon a rejected base claim, but indicated that those claims would be allowable if rewritten in independent form.

For the following reasons, the Applicant submits that all claims are allowable over Ford.

Claims 1, 3-16, and 18-33:

Claim 1 has been amended to include the recitations of original claim 2 (now canceled). As such, amended claim 1 is equivalent to claim 2 rewritten in independent form. Since claim 2 was indicated to be allowable but was objected to as being dependent from a rejected base claim, the Applicant submits that amended claim 1 is allowable. Since claims 3-15 depend variously from claim 1, it is further submitted that those claims are also allowable.

Claim 16 has been amended to include the recitations of original claim 17 (now canceled). As such, amended claim 16 is equivalent to claim 17 rewritten in independent form. Since claim 17 was indicated to be allowable but was objected to as being dependent from a rejected base claim, the Applicant submits that amended claim 16 is allowable. Since claims 18-23 depend variously from claim 16, it is further submitted that those claims are also allowable.

New claim 28 is equivalent to original claim 11 rewritten in independent form. Since claim 11 was indicated to be allowable but was objected to as being dependent from a rejected base claim, the Applicant submits that claim 28 is allowable. Since claims 29-30 depend from claim 28, it is further submitted that those claims are also allowable.

New claim 31 is equivalent to original claim 21 rewritten in independent form. Since claim 21 was indicated to be allowable but was objected to as being dependent from a rejected base claim, the Applicant submits that claim 31 is allowable. Since claims 32-33 depend from claim 31, it is further submitted that those claims are also allowable.

Claims 34 and 35:

New claim 34 is directed to a MEMS device having (i) a deformable plate and (ii) a first actuator fully mounted on the deformable plate. The first actuator is adapted to apply a deformation force to the deformable plate to change the shape of the plate.

Ford teaches a MEMS tilt-mirror device having a deformable membrane suspended by its ends over a substrate (see, e.g., the abstract). The deformable membrane can be deformed by


applying a voltage differential to an actuator, which includes at least two parts: (a) an electrode mounted on the membrane, e.g., electrode 37 in Fig. 3, and (b) a conducting portion of the substrate, e.g., substrate 31 in Fig. 3 (see, e.g., col. 4, lines 49-54). Thus, at least part (b) of the actuator taught by Ford is not mounted on the membrane. As such, Ford does not teach or even suggest an actuator fully mounted on the deformable membrane (plate).

For these reasons, the Applicant submits that claim 34 is allowable over Ford. For similar reasons, the Applicant submits that claim 35 is also allowable over Ford.

In view of the above amendments and remarks, the Applicant believes that the now pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Respectfully submitted,

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